APPENDIX A.

Ohio Supreme Court cases in which the Court has cited unreported or unofficially reported Ohio appellate court decisions. Since the Ohio Supreme Court does not make a practice of citing inferior Ohio court cases, the following list is necessarily short. No attempt has been made to collect instances where the Supreme Court has examined the Court of Appeals opinion, record, bill of exceptions, or journal entry in the case being reviewed, such as in *Montalto v. Yeckley,* 138 O. S. 314, at 316, 319, 321, 322, 323. Cases where the Court of Appeals opinion cited by the Ohio Supreme Court was unreported are indicated by an asterisk.

Vasu v. Kohlers (1945) 145 O. S. 321, 341, 342.

Inter Ins. Exch. v. Wagstaff (1945) 144 O. S. 457, 459.

State ex rel. Wilms v. Blake (1945) 144 O. S. 619, 625.

**Bauer v. Grinstead* (1943) 142 O. S. 56, 63.

Halkas v. Wilkoff Co. (1943) 141 O. S. 139, 143.

Keesecker v. McKelvey Co. (1943) 141 O. S. 162, 164 (quoting language from Court of Appeals opinion published only in 23 O. L. Abs. 353, at 358).

**Miller v. Jones* (1942) 140 O. S. 408, 410.

Townley v. Miller Co. (1941) 139 O. S. 153, 167.

State ex rel. Mack v. Guckenberger (1942) 139 O. S. 273, 275.

**In re Estate of Reilly* (1941) 138 O. S. 145, 149.

Tullis v. Tullis (1941) 138 O. S. 187, 193, 197.

State ex rel. Hughes v. Cramer (1941) 138 O. S. 267, 271.

**Direct Plumbing Supply Co. v. City of Dayton* (1941) 138 O. S. 540, 542.

**Steiner v. Custer* (1940) 137 O. S. 448, 450.

APPENDIX B.

Cases wherein the Ohio Supreme Court has noted that the Court of Appeals in the case being reviewed had certified its decision as being in conflict with an unreported or unofficially reported Ohio appellate court decision. Cases noting that conflict was found with an unreported decision are indicated by an asterisk.

**Pfoff v. Board of Education* (1945) 146 O. S. 107, 108.

Bobik v. Industrial Commission (1946) 146 O. S. 187, 188.

Lumpkin v. Metropolitan L. Ins. Co. (1945) 146 O. S. 25, 27.

State v. Wells (1945) 146 O. S. 131, 133.

Barlow v. Winters Nat. Bk. & Trust Co. (1945) 145 O. S. 270, 273.

Inter Ins. Exch. v. Wagstaff (1945) 144 O. S. 457, 458.

**Workman v. Republic Mut. Ins. Co.* (1944) 144 O. S. 37, 41.

**Wertz v. Hunter* (1944) 144 O. S. 18, 19.

**Kramer v. Metropolitan L. Ins. Co.* (1944) 144 O. S. 13, 14.

Bauer v. Grinstead (1943) 142 O. S. 56, 59.

**Pfau v. City of Cincinnati* (1943) 142 O. S. 101, 102.

**Stough v. Industrial Commission* (1944) 142 O. S. 446, 447-8 (see 41 O. L. Abs. 400, at 408).

Johnson v. Wagner Provision Co. (1943) 141 O. S. 584, 587-8.

**Damar Realty Co. v. City of Cleveland* (1942) 140 O. S. 432, 433.

**Dubin v. Greenwood* (1942) 139 O. S. 546, 548.

**Hardgrove v. Isaly Dairy Co.* (1942) 139 O. S. 641, 642.

**In re Estate of Reilly* (1941) 138 O. S. 145, 146.

**State ex rel. Strain v. Houston* (1941) 138 O. S. 203, 206.

**In re Estate of Binder* (1940) 137 O. S. 26, 31.

**Geiselman v. Wise* (1940) 137 O. S. 93, 94.

**In re Estate of Butler* (1940) 137 O. S. 96, 102 (and see 118).

**Pugh v. Akron-Chicago Transp. Co.* (1940) 137 O. S. 164, 165-6.

Petro v. Donner (1940) 137 O. S. 168, 174.

B. & O. R. Co. v. Kepner (1940) 137 O. S. 409, 411.

Duncan v. John Hancock Mut. L. Ins. Co. (1940) 137 O. S. 441, 444.

Auto Finance Co. v. Munday (1940) 137 O. S. 504, 509.

APPENDIX C.

List of cases, decided since *Bevan v. Century Realty Co.* (1940) 64 O. App. 58, 65 (upon which Petitioner relies), where Ohio Courts of Appeals have cited and relied upon Ohio appellate court decisions which were either unreported or were unofficially reported. Instances where an *unreported* case was relied upon are indicated by an asterisk. (Note: Volume 76 and that part of Vol. 77 of Ohio Appellate Reports which has been published appear only in advance sheets. Citations to these cases in the Northeastern Reporter are also given.)

City of Cincinnati v. Wright (1945) 77 Ohio App. 261, 268.

State ex rel. Heck v. Sucher (1946) 77 Ohio App. 257, 260.

Wegley v. Snyder (1945) 77 Ohio App. 241, 246.

Wetzel v. Besecker (1945) 77 Ohio App. 235, 239, 64 N. E. 2d 602, 604.

In re Estate of Shafer (1944) 77 Ohio App. 105, 115, 116, 118.

Weinrich v. Franklin S. & L. Assn. (1945) 77 Ohio App. 1, 6, 7, 9, 63 N. E. 2d 38.

Weis v. Weis (1945) 76 Ohio App. 483, 487, 65 N. E. 2d 300.

Kercher v. City of Conneaut (1945) 76 Ohio App. 491, 503, 511, 65 N. E. 2d 272.

Burt v. City of Cleveland (1945) 76 Ohio App. 451, 461, 62 N. E. 2d 274, 278.

Benson, Admrx. v. Rosine (1945) 76 Ohio App. 439, 443, 64 N. E. 2d 845, 847.

State ex rel. Caton v. Industrial Commission (1945) 76 Ohio App. 249, 251, 61 N. E. 2d 806, 807.

Plessinger v. Bireley (1945) 76 Ohio App. 183, 188, 62 N. E. 2d 720, 722.

Brown v. Pennsylvania R. Co. (1945) 76 Ohio App. 171, 175, 61 N. E. 2d 163, 164.

Commercial Credit Corp. v. Wasson (1944) 76 Ohio App. 181, 182, 63 N. E. 2d 560.

In re Estate of Kleinhen (1944) 76 Ohio App. 122, 126, 128, 63 N. E. 2d 315, 318, 319.

Zook v. Dempsey (1944) 76 Ohio App. 147, 149, 65 N. E. 2d 80, 81.

Heath v. Kozier (1945) 76 Ohio App. 89, 93, 61 N. E. 2d 728, 729.

State ex rel. Crabtree v. Eichelberger (1945) 76 Ohio App. 108, 110, 61 N. E. 2d 818, 819.

Reeves v. Frank Co. (1945) 76 Ohio App. 1, 7, 62 N. E. 2d 886, 889.

Shedenhelm v. Myers (1944) 76 Ohio App. 28, 33-4, 63 N. E. 2d 34, 37.

Luebkeman v. Luebkeman (1945) 75 Ohio App. 566, 572.

•*In re Estate of Hedges* (1943) 75 Ohio App. 518, 525.

Noel v. Fetter (1943) 75 Ohio App. 419, 422.

State ex rel. Beane v. Krebs (1945) 75 Ohio App. 427, 434.

Barlow v. Winters National Bank (1944) 75 Ohio App. 392, 393.

Lumpkin v. Metropolitan Life Ins. Co. (1945) 75 Ohio App. 310, 314.

•*Royalty v. Southeastern Greyhound Lines* (1945) 75 Ohio App. 322, 326.

Schaefer v. Cincinnati St. Ry. Co. (1945) 75 Ohio App. 288, 294.

In re Estate of Black (1944) 75 Ohio App. 294, 298.

Taylor v. Continental Cas. Co. (1945) 75 Ohio App. 299, 301-2.

Turner v. Central Outdoor Ad. Co. (1944) 75 Ohio App. 105, 115.

•*Phillips v. Industrial Commission* (1944) 75 Ohio App. 131, 135.

In re Estate of Seidensticker (1944) 75 Ohio App. 73, 87.

Farm Bureau Mut. Auto. Ins. Co. v. Alms & Doepke Co. (1944) 75 Ohio App. 88, 92.

First Discount Corp. v. Daken (1944) 75 Ohio App. 33, 37.

Suiter v. Suiter (1944) 74 Ohio App. 44, 45, 52.

Krovosucky v. Industrial Commission (1943) 74 Ohio App. 86, 90.

Vance v. Hower Corp. (1944) 74 Ohio App. 99, 104.

•*Cummins v. Muskingum W. C. District* (1943) 74 Ohio App. 122, 125, 126, 127, 129.

Simpson v. Springer (1943) 74 Ohio App. 142, 144.

Kurtz v. City of Columbus (1944) 74 Ohio App. 173, 180.

State v. Hainbuch (1943) 74 Ohio App. 193, 197.

•*Vining, Admr. v. Stetler* (1943) 74 Ohio App. 239, 243.

Beach v. Rowekamp (1943) 74 Ohio App. 251, 253.

Skinner v. Brooks (1944) 74 Ohio App. 288, 291.

•*Armbruster v. City of Middletown,* 74 Ohio App. 321, 327.

Thompson Heating Corp. v. Hardware Ind. Ins. Co. (1944) 74 Ohio App. 350, 353.

Shriner v. Price, Exr. (1944) 74 Ohio App. 373, 378.

Andwur M.-L. Co. v. Muhrbach (1944) 74 Ohio App. 387, 390.

Hines v. City of Bellefontaine (1943) 74 Ohio App. 393, 414, 418.

Moore v. Travelers Ins. Co. (1944) 74 Ohio App. 420, 424.